

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GARDEN CITY BOXING CLUB, INC.

X

Index No.07 CV 8081

Plaintiff,

ANSWER AND DEFENSES

-against-

1900 JEROME AVE. SPORTS BAR INC.
d/b/a MONUMENT SPORTS BAR
and GRISELDA A. REYES

Defendant(s)

X

DEFENDANTS, 1900 JEROME AVE. SPORTS BAR INC., d/b/a MONUMENT SPORTS BAR, and GRISELDA A. REYES, by their attorney, Nestor Rosado, Esq., as for its verified answer, and defenses, of the plaintiff complaint states as follows:

ANSWER

1. Defendants deny all allegations in paragraphs **FIFTHTEEN, SIXTEEN, SEVENTEE, EIGHTEEN, NINETEEN, TWENTY, TWENTY-THREE, TWENTY-FIVE, TWENTY-SEVEN, THIRDY-ONE, THIRDY-TWO, THIRDY-FOUR and THIRDY-FIVE** of the complaint. The defendants did not transmit and/or intercept the plaintiff's transmission of the fight. The defendants did not have the capability to transmit and/or intercept the plaintiff's transmission of the fight.

2. Defendants do not have sufficient information to frame a response as to paragraphs **ONE THROUGH FOURTEEN, TWENTY-ONE, TWENTY-**

TWO, TWENTY-FOUR, TWENTY-SIX, TWENTY-EIGHT THROUGH THIRDY, THIRDY-THREE and THIRD-SIX, of the complaint and as to these paragraphs the defendants deny each and every allegation.

DEFENSES

4. That the defendants were never personally served with a copy of the Summons and Verified Complaint commencing this action. The only papers received by the defendants were a copy of the application for a default judgment. This court does not have personal jurisdiction over the defendants, because service of the papers was never completed by the plaintiff.

5. That the defendants did not violate any of the laws alleged by the complaint and they did not interception of the broadcast. On the date of the alleged fight the restaurant was closed, but was open for a private party for the building superintendent.

6. That the defendants did not transmit the fight on the date and time alleged by the plaintiffs in their complaint.

Wherefore, it is respectfully requested that this court dismiss the plaintiff's action and enter judgment in favor of the defendants for reasonable attorneys fees in the defense of this action and further relief as this court may deem just and proper.

Dated: New York, New York
February 26, 2008

Nestor Rosado, Esq.

Attorney for Defendant(s)

**To: Paul J. Hooten & Associates
5505 Nesconset Hwy., Suite 203
Mt. Sinai, New York 11766**